

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 ARMANDO NEVAREZ,

Case No. 3:16-cv-00676-MMD-CBC

5 Plaintiff,

ORDER

6 v.

7 ISIDRO BACA et al.,

8 Defendants.
9

10 I. DISCUSSION

11 This action is a *pro se* civil rights complaint filed pursuant to 42 J.S.C. § 1983 by
12 an individual who was in the custody of the Nevada Department of Corrections at the time
13 he initiated this case. At the time Plaintiff initiated this case, Plaintiff submitted an
14 application to proceed *in forma pauperis* for prisoners. (ECF No. 3). In this Court's July
15 5, 2018 screening order, the Court deferred a decision on the application to proceed *in*
16 *forma pauperis*. (ECF No. 10 at 6). The screening order also imposed a 90-day stay and
17 the Court entered a subsequent order in which the parties were assigned to mediation by
18 a court-appointed mediator. (ECF Nos. 10, 13). The parties did not settle at mediation.
19 (ECF No. 32).

20 The Court now directs Plaintiff to file an application to proceed *in forma pauperis*
21 by a non-prisoner within thirty (30) days from the date of this order or pay the full filing fee
22 of \$400. After the Court determines the matter of the payment of the filing fee, the Court
23 will issue an order on the matter of service.

24 II. CONCLUSION

25 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed
26 *in forma pauperis* for prisoners (ECF No. 3) is DENIED as moot.

27 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
28 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the

1 document entitled information and instructions for filing an *in forma pauperis* application.

2 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
3 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
4 non-prisoners; or (2) pay the full filing fee of \$400.

5 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
6 the Court will dismiss this action with prejudice.

7 IT IS FURTHER ORDERED that upon the resolution of the matter of the filing fee
8 this Court shall issue a subsequent order on the matter of service.

9
10 DATED THIS 3rd day of June 2019.

11 
12 UNITED STATES MAGISTRATE JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28